

Chapter 3: CONTROL OF LICENSEES

- §1. Each licensed slot machine operator ~~licensee~~, casino operator ~~licensee~~, slot machine distributor ~~licensee~~, table game distributor, and gambling services vendor ~~licensee~~ shall maintain, in a place secure from theft, loss, or destruction, adequate records of its business and accounting operations relating to the slot machine operations and the casino operations regulated by this rule. Each of the above licensees shall make the records available to the Board, Director, or Department pursuant to 8 M.R.S.A. § 1041 and § 1042. Records shall be maintained as follows:
- | ~~A.1~~ The licensees shall hold the records for not less than 5 years. The records shall include, but not be limited to, all of the following:
 - | ~~1.A.~~ All correspondence with, or reports to, the Board or any local, state or federal ~~governmental~~ regulatory agency;
 - | ~~2.B~~ All correspondence concerning the acquisition, construction, maintenance, or business of a proposed or existing slot machine facility or casino;
 - | ~~3.C.~~ A personnel file on each employee;
 - | ~~4.D.~~ All accounting records, ledgers, subsidiary records, computer generated data and internal audit records pertaining to slot machine or table game activities.
 - | ~~B.2.~~ Notwithstanding the foregoing provisions of subsection ~~A.1~~ of this rule, a slot machine operator or casino operator ~~licensee~~ will maintain original ticket vouchers for a period of 7 days, unless otherwise ordered by the Gambling Control Board. Any vouchers ordered held by the Gambling Control Board will be held for 7 years.
 - | ~~C.3.~~ Notwithstanding the foregoing provisions of subsection ~~A.1~~ of this rule, a licensed slot machine operator ~~licensee~~, casino operator ~~licensee~~, slot machine distributor ~~licensee~~, table game distributor, and gambling services vendor ~~licensee~~ shall hold copies of all promotional and advertising material, records, or complimentary distributions for the slot machine facility or casino for at least one year.
 - | ~~D.4.~~ The slot machine facility or casino shall organize and index all required records in a manner that enables the Board to locate, inspect, review, and analyze the records with reasonable ease and efficiency. The slot machine facility or casino may maintain the records in either paper or electronic form.
 - | ~~E.5.~~ Nothing in this section of this rule shall be construed to require disclosure of documents subject to the attorney-client privilege if the licensee or applicant informs the Director of the existence of the document, a general description of its contents, and the basis for the privilege.

§2. A licensee shall disclose changes in information.

- | ~~A.1.~~ Except as otherwise provided in this rule, if an obligation has been placed upon a licensee to report or submit information to the Board, the reporting or submission may be accomplished by providing the information to the Director or the Board.
- | ~~B.2.~~ A licensee or an applicant for a license has a continuing duty to disclose promptly any material changes in information provided to the Board as soon as the applicant or licensee becomes aware of the change. The duty to disclose changes in information continues throughout any period of licensure granted by the Board. A licensee or applicant shall make sure that all required release of information forms submitted to the Board are current.
- | ~~C.3.~~ A slot machine operator, casino operator, slot machine distributor, table game distributor, or gambling services vendor, shall immediately notify the Board of any proposed or effective change regarding the makeup of its owners, directors, officers, partners, or key ~~employees~~ executives.

§3. An applicant or licensee shall disclose representatives.

- | ~~1.A.~~ An applicant or licensee shall file with the Board a list of persons and positions authorized to act on the applicant's or licensee's behalf as to any matter before the Board. An attorney appearing on behalf of an applicant or licensee in a matter before the Board shall promptly file an appearance identifying his or her client and the matter in which the attorney will appear.
- | ~~2.B.~~ A person holding or applying for a slot machine operator license, casino operator license, slot machine distributor license, table game distributor license, or a gambling services vendor license shall establish and identify a registered agent within the State of Maine for the purpose of accepting service of process, notices, and other forms of communication for the person holding or applying for one of the licenses cited above.

§4. A licensed slot machine operator ~~licensee~~, casino operator ~~licensee~~, slot machine distributor ~~licensee~~, table game distributor ~~licensee~~, or a gambling services vendor ~~licensee~~ shall conduct a reasonable investigation of the background of employees whose duties ~~are~~ related to or involved in the conduct of gambling operations in the State of Maine to reasonably ensure that the employee is eligible and suitable for the employment under the licensing standards and other requirements of 8 M.R.S.A. Chapter 31 and these rules. A licensed slot machine operator ~~licensee~~, casino operator ~~licensee~~, slot machine distributor ~~licensee~~, table game distributor ~~licensee~~, or a gambling services vendor ~~licensee~~ shall keep and maintain written records of investigations for all employees. The licensees shall make the written records available to the Board, upon request, within a reasonable time period prescribed by the Board. Licensure by the Board may not be relied on by the licensee as the sole criterion for hiring a job applicant.

§5. An applicant or licensee shall provide all information required by 8 M.R.S.A. Chapter 31 and these rules and satisfy all requests for information pertaining to licensing, in the form specified by the Board. An applicant or licensee shall waive liability as to the State, its instrumentalities and agents for any damages resulting from any disclosure or publication in any manner other than a willful unlawful disclosure or publication of any material or information acquired during inquiries, investigations or hearings.

§6. ~~Playing the slot machines at the slot machine facility or the slot machines or table games at a casino operated by the licensee by licensees,~~

~~Owners, directors, officers, key persons executives, and managerial employees of a casino or slot facility, any employees licensed gaming employees by the Board or and anyone who shares finances with any of the aforementioned, shall not play or be permitted to play any gambling game at the casino or slot facility at which the person is employed or licensed except in the course of employee training, slot machine testing or table game testing being conducted by authorized personnel, or when that person is demonstrating to one or more patrons how to play a permitted slot machine game or table game. are prohibited except in the course of employee training, slot machine testing or table game testing being conducted by authorized personnel, or when that person is demonstrating to one or more patrons how to play a permitted slot machine game or table game.~~

1. Any employee for whom licensure has been waived pursuant to 8 M.R.S.A. §1015 is permitted to play slot machines or table games when not on duty. No such person shall be allowed to purchase or redeem tokens or tickets for any other person at the slot machine facility or casino operated by the licensee.
2. No Board member, the Director of the Board, or members of the Board staff or Department members assigned to the Gambling Control Unit may gamble in any casino or slot facility licensed by the Board except in the course of his or her duties.

§7. An applicant for or holder of a slot machine operator license, casino operator license, slot machine distributor license, table game distributor license, or a gambling services vendor license may not enter into or perform any contract or transaction in connection with operations related to the slot machine operator license, casino operator license, slot machine distributor license, table game distributor license, or gambling services vendor license for which application has been made or which the licensee holds unless the applicant or licensee transfers or receives consideration that is commercially reasonable.

STATUTORY AUTHORITY: 8 M.R.S.A. § 1003(1)(B), (3)(F); 8 M.R.S.A. § 1017(1)(E); 8 M.R.S.A. § 1019; 8 M.R.S.A. § 1041.

EFFECTIVE DATE:

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